

In 2012, Uzbekistan made no advancement in efforts to eliminate the worst forms of child labor. Notwithstanding initiatives to reduce child labor, Uzbekistan has received this assessment for the Government's complicity in the use of forced child labor. While the Government issued a 2012 Decree and Action Plan on Additional Measures to address the worst forms of child labor, worst forms of child labor persist, particularly in the cotton harvest. Reports indicate that in 2012, unlike in prior years, the Government did not systematically close primary classes forcing young children to harvest cotton. However, authorities continued the practice of closing secondary schools and mobilizing children ages 15 through 17 to work in the cotton fields to meet Government-mandated harvest quotas.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	4.3 (244,095)
Attending School	5-14 yrs.	84.1
Combining Work and School	7-14 yrs.	5.0
Primary Completion Rate		92.9

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2006.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Uzbekistan are engaged in the worst forms of child labor, primarily in the annual cotton harvest.(3, 4) During the autumn harvest, children continue to be forced to work due to a governmental system that requires local administrators and farmers to meet cotton harvest quotas.(3-8) Each spring during the preharvest season, children also work long hours sowing cotton, followed by weeding through the summer months.(9-12)

In 2012, the Government, along with local administrators, for the first time made a concerted effort to keep primary-level students in school and out of the fields during the harvest.(4, 6, 11, 13) Unlike in prior years, reports indicate that most primary school students under age 15 (grade nine) were not mobilized for the 2012 harvest. However, a credible

mechanism to monitor child labor during the harvest period does not exist and reliable statistical data on the reduction of child labor during the harvest is not available.

The Government continues to publicly deny the use of child labor or forced labor in the cotton harvest.(14, 15) NGO and U.S. Embassy reports indicated that in 2012, some incidences were reported of primary school classes closed and children as young as 10 sent to harvest cotton.(4, 11, 13, 16) In addition, reports indicate that officials continued to close secondary schools (colleges and *lyceums*) during the harvest and forced children ages 15 to 17 to pick cotton to reach the mandated quotas.(4, 6, 11, 13, 16) Reports indicate that the harvest quotas were between 110 and between 175 pounds per day for older children, and 45 to 110 pounds for younger children.(4, 13) The Government's forced mobilization of older children is reported to have increased in several regions during the 2012 harvest.(4, 13, 17)

While harvesting cotton, children may not have access to sufficient food, clean drinking water, or sanitation facilities.(4, 6, 11, 13) Some children resort to drinking water from irrigation drainage canals.(5, 6, 18) In addition, children are paid little and may have food or other expenses deducted from their wages.(3, 4, 6, 11, 13, 16, 19) They work long hours (usually 9 to 10 hours per day and sometimes in extreme temperatures), carry heavy loads, and may be exposed to dangerous pesticides.(4, 6, 8, 11, 19) Children forced to work in the cotton harvest miss weeks of school every year, which may negatively impact their learning.(3, 4, 18) Students who refuse to participate in the cotton harvest risk physical abuse, receiving low grades, or expulsion; their parents may also be threatened by local authorities or assessed fines.(3, 4, 7, 11, 13, 17, 20)

Uzbekistan

Children have been reported to be working in the cultivation of silkworms, although the extent of the problem is unknown.(9, 21-24) Harvesting silkworm cocoons may require children to gather mulberry leaves to feed the worms and remove their waste at strict intervals seven times a day, working long hours from 4 a.m. to midnight. This strict schedule may deprive these children of sleep and contribute to excessive school absences.(21-23) Silk production has been driven by government quotas imposed on farmers based on the size of the farm, which is similar to those imposed for cotton.(9, 21-23) Reports indicate that families are forced to meet government quotas for silkworm cultivation under threat of fines or losing the lease on their land. In addition, reports indicate that local officials may enforce the quota through threat of delayed payments to farmers or violence.(21-23) These conditions may increase the vulnerability of families and their children to conditions of forced labor.

There are reports that children are trafficked internally and abroad, primarily to destinations across Asia for the purpose of commercial sexual exploitation.(14, 17, 28)

There are reports of children working on the streets, but information as to specific hazards is unknown.(11, 25-27)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code of Uzbekistan and the Law on the Guarantees of the Rights of the Child, as amended in 2009, establish the minimum age for work at 16 and the minimum age for part-time light work at 15.(26, 29, 30) The Labor Code also prohibits hazardous labor for minors under age 18.(18)

The Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to Which it is Forbidden to Employ Persons under Eighteen Years of Age presents a list of hazardous activities forbidden for children younger than age 18.(18, 26, 31) This list specifically includes the manual harvesting of cotton. The Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor further bars employers from using children to work under a list of hazardous conditions. These include working underground, underwater, at dangerous heights, with dangerous equipment, or doing work that requires lifting or moving heavy loads.(26, 32) This Decree also grants authority to parents and labor inspectors to cancel the employment contracts of workers younger than age 18 if the work involved could endanger the child's health or well-being.(32)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	18
	Free Public Education	Yes

The Constitution and the Labor Code prohibit forced labor(18, 33) and the Criminal Code states that the forceful deprivation of liberty is punishable by a fine or imprisonment.(34) The Law on the Guarantees of the Rights of the Child prohibits the prostitution, trafficking, and use of children for illicit activities.(30) The Criminal Code penalizes commercial sexual exploitation of children, including child prostitution and pornography.(34) The 2008 Law on Trafficking and the Criminal Code prohibit human trafficking.(34, 35)

On March 26, 2012, the Cabinet of Ministers adopted the Decree on Additional Measures in 2012-13 for Implementation of the Convention on Forced or Compulsory Labor and the Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (Decree on Additional Measures).(36) A 2012-13 Plan of Action is incorporated in the Decree to assign specific responsibilities to the Ministries of Labor and Social Protection (MOL) and to Foreign Affairs for the implementation of these additional measures.(36)

According to the Law on Education, children have the right to free and compulsory education for 12 years, generally completed from ages 6 to 18.(37) However, as noted above, in practice, many high schools were closed for weeks or months during the annual cotton harvest, thus depriving children of this right.

Men are required to serve for one year in the military, with compulsory conscription at age 18.(38, 39)

Institutional Mechanisms for Coordination and Enforcement

The tripartite Interagency Working Group (IWG), established in 2011 and led by the MOL, serves as a coordinating mechanism to address labor relations issues, including child labor.(40-42) Objectives of the IWG include reporting to the ILO on the Government's implementation of ratified conventions, preventing forced labor, and protecting working minors.(40, 41, 43-45)

The Government's Interagency Commission on Combating Trafficking in Persons is charged with overseeing efforts to combat trafficking.(14, 27) The Prosecutor General chairs the Commission, with representatives from other government entities such as the Ministries of Labor and Social Protection, Interior (MOI), Foreign Affairs, the National Security Service, and the State Customs Committee.(14) Similarly, local interagency committees to combat trafficking have been established at the provincial, regional, and municipal levels.(14)

The MOL is responsible for carrying out labor inspections, including inspections for compliance with child labor laws.(26, 42) Labor inspectors are not known to inspect the agriculture sector, state-owned enterprises, or unregistered businesses.(42) The MOL reported that a total of 296 labor inspectors were employed in 2012 and that they have received training on child labor.(42, 45) In 2012, the Government reported that inspections of 1,851 workplaces resulted in 448 reported infractions related to child labor. Of these infractions, 432 citations were issued. In addition, 36 employers were fined a combined total of approximately \$6,265.(42, 45-47) The Government did not identify, investigate, prosecute, or convict officials complicit in forced child labor during the cotton harvest.(14, 47)

The Decree on Additional Measures requires the MOL to monitor cotton fields each year from August to October to ensure that children are not working.(15, 36, 44) It is not clear how the Decree alters the current duties of the MOL or whether this monitoring system was established for the 2012 harvest.

The Government reported that a June 26, 2012 joint resolution of the Ministry of Secondary Education and the Ministry of Higher Education's Center for Secondary Specialized and Professional Education called for monitoring elementary

through secondary students to prevent forced child labor. Government reports indicate that a special working group was formed in August 2012 to prevent the involvement of elementary and middle school students in the cotton harvest and that directives were issued from the Ministry of Public Education prohibiting the use of children through grade 8 in the harvest.(45)

Limited reports indicate that in 2012, some local administrators formed child labor monitoring teams to prevent children under age 15 from working in the cotton harvest.(6, 11, 15) However, it is not known whether these local monitoring mechanisms were established in all cotton growing areas.

Additionally, the Government reported that no cases of forced labor or hazardous child labor were found by these monitoring systems in 2012.(42, 45, 47)

During the 2012 cotton harvest, U.S. Embassy and NGO reports indicate that authorities responded to publicly reported incidences of schoolchildren under age 15 mobilized to work in the fields. NGO follow-up reports indicated that those children had been returned to class.(6, 13, 42) Research did not identify responses to protect children ages 15-17 from hazardous or forced labor during the cotton harvest and to return them to class.

The Government again refused to allow a high-level ILO tripartite mission to observe the cotton harvest and to fully assess the situation of children's engagement in the cotton sector.(4, 8, 13) UNICEF was allowed to observe the cotton harvest and did not identify any children under age 15 subjected to forced labor; UNICEF did note that children ages 15 to 17 were actively mobilized by the Government to work 9 to 10 hours per day to meet a daily quota of 65 to 155 pounds of cotton. However, UNICEF's limited observations were not designed to substitute for the type of comprehensive observation the ILO would conduct.(6, 42)

The Prosecutor General's Office and the MOI are responsible for investigating and prosecuting criminal violations of the worst forms of child labor laws, including trafficking and commercial sexual exploitation.(14, 26) The MOI's Office for Combating Trafficking is charged with investigating crimes related to trafficking in persons, which may then be prosecuted by the Prosecutor General's office.(14) In 2012, the Government identified 50 child trafficking victims.(48) Although the Government investigated 1,013 criminal trafficking cases and prosecuted 419 cases that resulted in 626

Uzbekistan

convictions, data on trafficking cases were not disaggregated to indicate how many of those cases involved the trafficking of children.(47, 48)

Government Policies on the Worst Forms of Child Labor

The 2011-12 National Action Plan for the Application of ILO Conventions (NAP), updated in 2011 by the IWG and approved by the Deputy Prime Minister, serves as a national policy on child labor issues.(26, 36, 44) In addition, the Decree on Additional Measures serves as a policy and action plan for the efforts to address worst forms of child labor.(36) The Decree outlines additional activities to be implemented in 2012-13 in response to ILO Convention requirements, including awareness-raising activities on the worst forms of child labor targeting government ministries, international organizations, students, parents, and employers.(36, 44, 49) No information is available regarding the implementation of these plans during 2012.

Government policies in the cotton sector mandate harvest quotas and authorities organize and enforce forced labor of children and adults.(5, 8) Reports indicate that in 2012, the Government issued and enforced a new internal communication prohibiting the mobilization of primary school children under age 15 to harvest cotton.(8, 15, 42) However, this policy fails to protect children age 15 to 18 from the worst forms of child labor and this internal communication has not been made public.

The Government is implementing the National Plan of Action Against Trafficking in Persons 2011-12, which included awareness-raising activities, victim support services, and interagency coordination.(14, 27)

The Government has other child-focused policies, including the National Program on Improving Quality and Efficiency of Education 2008-12.(50) The question of whether these policies have had an impact on the worst forms of child labor does not appear to have been addressed.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

As part of the National Action Plan to Increase the Effectiveness of Combating Trafficking in Persons, the Government supports a shelter in Tashkent for trafficking victims, including children.(14, 27, 28) The shelter provides medical, psychological, legal, and other support services.(14, 27) The Government runs hotlines to report incidents of human trafficking.(14, 48) During the year, the Government conducted awareness-raising campaigns on trafficking, some specifically targeting youth.(14)

The Government reported that in August 2012, a working group convened to plan awareness-raising activities to prohibit the recruitment of primary schoolchildren to work in the cotton harvest.(15) The MOL, in collaboration with the Association of Private Farmers and the Committee of Women of Uzbekistan, conducted awareness-raising seminars for farmers on the ILO conventions in all regions.(8, 15)

The Government of Uzbekistan, however, has not made efforts to implement other programs to combat the worst forms of child labor, especially for children mobilized to work in the cotton harvest. The Government has not conducted research or made information available regarding forced child labor in the harvesting of cotton or silkworms.

The Government provides social protection programs, such as family and child allowances; however, reports indicate that in December 2012, the Government announced that the value of child allowances was reduced for families, and children over age 14 would no longer be eligible for benefits.(51-55) The Government participates in a number of educational, health, and livelihood programs implemented by international organizations.(44, 52, 56-59) The question of whether these programs have an impact on child labor does not appear to have been addressed.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Uzbekistan:

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Strictly enforce legislation that prohibits worst forms of child labor in the cotton harvest for all children until age 18.	2009, 2010, 2011, 2012
	Target labor and criminal inspections in areas where hazardous child labor is known to occur, especially in the cotton sector.	2011, 2012
	Establish a cotton harvest monitoring system, as mandated in the 2012 Decree, and expand community child labor monitoring teams to all cotton-growing areas.	2012
	Implement recommendations of the ILO supervisory bodies, including seeking ILO technical assistance and inviting the ILO or other credible third parties, to observe cotton harvests.	2009, 2010, 2011, 2012
	Publish information on criminal investigations and convictions related to the worst forms of child labor and trafficking of children and disaggregate data on trafficking statistics related to children.	2011, 2012
Policies	Cease the practice of closing schools and mobilizing children under age 18 to work in the cotton harvest.	2011, 2012
	Revise policies that mandate cotton harvest quotas to prohibit the forced involvement of all children under age 18 in the cotton harvest.	2012
	Publish and make publicly available official communications regarding child labor policies, including internal communications prohibiting the closure of schools and the mobilization of children for the cotton harvest.	2012
	Assess the impact that existing child and education policies may have on addressing child labor, particularly in the cotton sector.	2010, 2011, 2012
Social Programs	Expand programs to address the worst forms of child labor, with a particular focus on the cotton harvest.	2009, 2010, 2011, 2012
	Conduct research on the prevalence and hazards of children working on the street and of forced or exploitative child labor in the cultivation of cotton and silkworms in order to inform policy and enforcement.	2010, 2011, 2012
	Assess the impact that existing programs may have on addressing child labor.	2011, 2012

Uzbekistan

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